

<p style="text-align: center;">IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</p> <p style="text-align: center;">O I P E J C 3 4 JUN 02 2003 PATENT & TRADEMARK OFFICE</p>	Application No.	09/763,607
	Filing Date	April 19, 2001
	First Named Inventor	Cord F. STÄHLER et al.
	Group Art Unit	1639
	Examiner Name	Maurie Garcia Baker
	Attorney Docket No.	2923-436
<p><i>Title of the Invention: METHOD AND DEVICE FOR PRODUCING AND/OR ANALYZING BIOCHEMICAL REACTION SUPPORTING MATERIALS</i></p>		

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RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed March 5, 2003, Applicants elect Group I (claims 1-23 and 27) for prosecution on the merits, with traverse.


Because Applicants have elected Group I, the Office is requiring an election of species. Applicants therefore elect under species 1 biologically or chemical functional materials which are nucleic acids and the synthesis methodology wherein the biologically or chemically functional materials are synthesized on the carrier in two or more stages from monomeric or/and oligomeric building blocks. Applicants elect under species 2 an illumination matrix arrangement involving transmitted light. Applicants note that claims 1-12, 18, 21 and 27 are considered generic by the Office.

Applicants request reconsideration of the restriction of claims into Groups I and II since claim 1 of Group I recites that the carrier exposure is optionally "controlled by means of a light sensor matrix, in particular a CCD matrix" whereas claim 24 of Group II recites "use of a controllable illumination matrix...in a

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light-emission detector for detecting the optical behavior of a 2- or 3-dimensional test area" carrying functional materials. Therefore, the two claim groups share the special technical feature of controlling light exposure of a carrier coated with biologically or chemically functional materials and using a controllable illumination matrix to do so. The method of claim 1 shares the special technical features of claim 25, which should be examined together with the claims of Group I.

For the above reasons, Applicants believe there is no basis for the restriction requirement and request its withdrawal. Applicants request examination and favorable consideration of claims 1-27 at this time.

RESPECTFULLY SUBMITTED,					
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